

**Security Council**

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Identical letters dated 22 July 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to refer to the false and misleading information contained in the letter dated 12 July 2000 from the Permanent Representative of Kuwait addressed to you (S/2000/686) and to state the true facts in this regard.

1. The Kuwaiti letter denies that the paper circulated at Kuwait's request in the annex to document S/2000/478 had no official or legal standing. The true state of affairs is quite the opposite. In its letter OIC/CAB-07/00/0989, which was circulated to all States members of the Organization of the Islamic Conference (OIC), the OIC secretariat states that the document in question was "an internal paper". How then can Kuwait characterize such statements made by OIC concerning the paper as being "allegations and sophistries"?

2. The representative of Kuwait requested the circulation of the annex to his letter, namely the text of resolution 16/37 [i.e. 16/27-P] on the situation between Iraq and Kuwait, as adopted by the Islamic Conference of Foreign Ministers, without referring to the reservations expressed by certain OIC members or to the written reservations to the resolution that Iraq asked to be included in the documents of the meeting. The latter were as follows:

(a) Paragraphs 1 to 4: Iraq has reservations as to these paragraphs since they ignore many of the facts, reflect a single viewpoint and do not address the matter of the embargo imposed on Iraq or demand that it be lifted. They also take no account of the constant and daily air raids directed against the Iraqi people in the north and south of the country to which many fall victim.

(b) Paragraph 5 refers to Security Council resolution 949 (1994). This is astonishing and raises the question of what could be the reason for such a reference. Has Iraq utilized its forces to threaten its neighbours since the time this resolution was adopted? Who is it that is threatening whom? Who is committing aggression? United States and British aircraft are taking off every day from bases in Kuwait and Saudi Arabia in order to overfly Iraq and carry out hostile raids. These two countries are members of OIC, and its resolutions make no reference to this anomalous situation and do not demand that it be brought to a halt.

(c) Paragraph 6 [i.e. paragraph 2] refers to the International Committee of the Red Cross and the Tripartite Commission in Geneva in connection with the so-



called Kuwaiti "prisoners and detainees". This paragraph speaks of Kuwaiti "prisoners", despite the fact that all prisoners were repatriated on cessation of hostile operations against Iraq in the Gulf war and there is no longer any question of prisoners of war being held by Iraq. Iraq returned all the prisoners to the Kuwaiti side, and the term "Kuwaiti prisoners" is not to be found in any resolutions other than those of OIC.

It is odd that this paragraph makes no mention of Iraqi prisoners and Iraqi missing persons. In every war there are the missing, and there are missing Iraqis for whom dossiers have been submitted to ICRC that are double the number of missing Kuwaitis. Why then this insistence on mentioning Kuwaiti prisoners and missing persons when there is no mention of Iraqi prisoners and missing persons? We do not understand the reasons for this distinction.

Iraq is prepared to cooperate with ICRC and the Tripartite Commission in Geneva, but not in the presence of the Americans and the British. The two countries in question, which are committing aggression against Iraq on a daily basis, have no involvement in the question of missing persons and the Tripartite Commission in view of the fact that none of their personnel are missing. Iraq cooperates with those who actually do have missing personnel.

The question of the return of Kuwaiti property is mentioned in the same paragraph. Iraq has returned all the property in its possession, as is confirmed by the relevant reports of the Secretary-General of the United Nations. Iraq is also continuing with this process, and whenever the authorities concerned come across such property they inform the relevant office at the United Nations accordingly and that office takes the necessary measures to make arrangements for its return.

In the same paragraph [i.e. paragraph 6], the Conference also welcomes the final communiqué adopted by the Supreme Council of the Gulf Cooperation Council (GCC). The question here is why it does not welcome the relevant resolutions of the League of Arab States, which is more inclusive than the GCC and to which all the members of the GCC belong.

(d) Paragraph 7 refers to Security Council resolution 1284 (1999), which is weighed down with contradictions and obscurity and seeks to usurp the power of political decision-making that pertains to the sovereignty of Iraq. In this regard, Iraq's position is that it is not prepared once again to receive and host the spies of the Special Commission under the new name of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC).

(e) In paragraph 8 the Conference affirms its respect for the sovereignty, territorial integrity and political independence of Iraq. Where is respect for Iraq's sovereignty and independence when Saudi Arabia and Kuwait are involved in supporting United States and British hostility against Iraq and the daily acts of aerial aggression in the so-called no-flight zones in northern and southern Iraq?

The Conference also expresses sympathy with the people of Iraq and welcomes humanitarian initiatives for the purpose of meeting the human needs of the Iraqi people and mitigating its suffering. The human suffering of the Iraqi people is indeed a heavy burden, and the Conference should thus demand the lifting of the embargo maintained against Iraq. We should like to stress that the humanitarian situation in Iraq will remain grave in the absence of a revival of the Iraqi economy as a whole and that it cannot be alleviated by assistance or humanitarian initiatives

that can only be regarded as inadequate remedies for a critical situation. Iraq cannot refrain from demanding justice through the lifting of the unjust embargo imposed on it, constituting as it does an instance of the crime of genocide in all legal and humanitarian senses of the term.

3. The insistence of the representative of Kuwait on politicizing the issue of the missing once again confirms that the motive for doing so is not anxiety to learn the fate of these persons but to exploit the issue for political advantage as part of the United States scheme to harm the people of Iraq and to exploit the feelings of the relatives of the missing in order to kindle resentment and hatred and keep the region in a maelstrom of instability and of ambushes and counter-ambushes. Had the representative of Kuwait been objective, he would have referred in his letter to the need to devise a solution for all the missing without discriminating between one nationality and another. There are more than twice as many missing Iraqis as there are missing Kuwaitis, and paragraph 5 of Security Council resolution 686 (1991) refers to "[the decision to provide] access to and commence immediately the release of Iraqi prisoners of war under the auspices of the International Committee of the Red Cross, as required by the terms of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949". Iraq has submitted the dossiers of these missing persons to ICRC, and Kuwait is required to investigate their fate given that they went missing in Kuwait.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. **Hasan**
Ambassador
Permanent Representative